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8
9 **UNITED STATES DISTRICT COURT**
10 **DISTRICT OF NEVADA**

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 DAVID DAMANTE,

15 Defendant.

Case No. 2:11-cr-064-APG-CWH

**MOTION TO CONTINUE
REVOCATION HEARING**
(First Request)

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17 Defendant David Damante, though counsel Assistant Federal Public Defender
18 Andrew Wong, files this motion to continue the Revocation Hearing currently scheduled on
19 October 28, 2019 at 10:30 am, to a date and time convenient to the Court, but no sooner than
20 thirty (30) days.

21 This Motion is entered into for the following reasons:

22 1. On October 3, 2019, Mr. Damante appeared on a summons for his initial
23 appearance on a petition alleging violations of supervised release. ECF No. 381, 387.

24 2. On the same day as his initial appearance, Mr. Damante's mother had a stroke
25 and was admitted to a Sacramento hospital. On October 5, 2019, Mr. Damante's mother passed
26 away.

3. Mr. Damante contacted AFPD Sylvia Irvin who worked with the Probation Office to allow Mr. Damante to travel to Sacramento to pay respects to his mother and to spend time with his brother and family. Mr. Damante is currently in Sacramento and will be returning to Las Vegas on October 25, 2019.

4. In light of Mr. Damante's family situation and to allow time for undersigned counsel to prepare for the revocation hearing, undersigned counsel asks for a continuance of at least 30 days.

5. Mr. Damante is out of custody and agrees with the need for the continuance.

6. Counsel for the government opposes the continuance.

This is the first request for a continuance of the revocation hearing.

DATED this 23rd day of October, 2019.

RENE L. VALLADARES
Federal Public Defender

/s/ Andrew Wong

By _____

ANDREW WONG
Assistant Federal Public Defender

1 UNITED STATES DISTRICT COURT

2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 v.

6 DAVID DAMANTE,

7 Defendant.

Case No. 2:11-cr-064-APG-CWH

ORDER

9
10 IT IS THEREFORE ORDERED that the revocation hearing currently scheduled for
11 Monday, October 28, 2019 at 10:30 a.m., be vacated and continued to November 12, 2019 at
12 the hour of 2:00 p.m. Courtroom 6C; or to a time and date convenient to this Court.

13 DATED this 24th day of October, 2019.

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17 ANDREW P. GORDON
18 UNITED STATES DISTRICT JUDGE
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